

PATENT



Attorney Docket No. A-64345-4/RBC/VEJ  
Attorney Matter No. 463678-00065  
Application No. 09/955,844

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of:

Mike Xiaoli MA

Application No. 09/955,844

Filed: September 18, 2001

For: TAMPER EVIDENCING  
CLOSURE

Art Unit: 3727

Examiner: Stephen K. Cronin

Docket No.: A-64345-4/RBC/VEJ

*Certificate of Mail (37 C.F.R. § 1.8(a))*

*I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on February 9, 2004.*

*Patricia A. Diehl*

Patricia A. Diehl

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT AND REPLY**

Sir:

Responsive to the Office Action of October 8, 2003, Applicant submits the following Amendment and Remarks. A petition for a one-month extension of time is submitted herewith along with the appropriate fee to extend the due date from January 8, 2004 to February 8, 2004. Since February 8, 2004 was a Sunday, this is being timely filed on the next business day, Monday, February 9, 2004.

**AMENDMENTS**

Amendments to the Specification begin on page 2 of this paper. Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper. Amendments to the Drawings begin on page 9 of this paper and include an attached replacement sheet. Remarks, including arguments, begin on page 10 of this paper.

***In the Specification:***

Please replace paragraph no. 56, bridging pages 12 and 13, with the following rewritten paragraph:

--[0056] As was the case for the previously described embodiments, passageways 231 can be provided in annular rim 224 so the liquids are not trapped in U-shaped annular space ~~[[229]]~~ 230 of rim 224. In the illustrated embodiment, two passageways 231 are provided for liquid drainage. One should appreciate, however, that one or more passageways can be utilized in accordance with the present invention.--

Please replace paragraph no. 63, bridging pages 14 and 15, with the following rewritten paragraph:

--[0063] An advantage a tamper-evidencing band including both flutes and a ratchet mechanism, in accordance with the present invention, is that such a configuration significantly facilitates the application of a tamper evidencing closure on a neck or spout of a container. Closures that have tamper-evidencing bands provided with ratchets may be difficult to apply to a closure neck. In particular, tamper bands provided with ratchets are generally more rigid than tamper bands without ratchets and thus may break upon application of a closure to a neck. In particular, the ratchets may reduce elasticity of the band which may cause excess resistance when applying the closure to the neck which may, in turn, ~~[[intern]]~~ damage the frangible connections. Similarly, because the bands with ~~[[ratches]]~~ ratchets are relatively rigid, such bands may hamper the application of the closure to a container neck because due to the difficulty encountered as the band passes over a retaining rim of the closure. A closure including a tamper-evidencing band having both flutes and a ratchet mechanism, in accordance with the present invention, overcomes such disadvantages because the flutes provide the band with additional “give” or flexibility and/or substantially restores the

“give” or flexibility lost due to the presence of the ratchet mechanism. Such configuration thus facilitates application of the closure to a container neck, and in particular, facilitates the band in passing over the retaining rim of the container.--

***In the Drawings:***

The two attached sheets of drawings includes changes to FIGS. 13 and 14. The numeral “229” identifying the annular space was changed to --230--. The sheets, which include FIG. 13 and FIG. 14, respectively, replace the corresponding original sheets including FIGS. 13 and 14.

Attachments: Replacement Sheet 9 including FIG. 13; and  
Replacement Sheet 10 including FIG. 14.